

**UNITED STATES BANKRUPTCY COURT
District of New Jersey**

IN RE: **Luis R Galarza**

Case No.: 16-21420

Judge: ABA

Debtor(s) Chapter: 13

CHAPTER 13 PLAN AND MOTIONS

☐ Original

☐ Motions Included

☒ Modified/Notice Required

☐ Modified/No Notice Required

☒ Discharge Sought

☐ No Discharge Sought

Date: 8-7-2017

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE.

YOUR RIGHTS WILL BE AFFECTED.

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. **This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice.**

**YOU SHOULD FILE A PROOF OF CLAIM BY THE DEADLINE STATED
IN THE NOTICE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN
THAT MAY BE CONFIRMED, EVEN IF THE PLAN REFERS TO YOUR CLAIM**

Part 1: Payment and Length of Plan

a. The Debtor shall pay **\$186.00 Monthly** to the Chapter 13 Trustee, starting on **September 1, 2017** for approximately **46** remaining months for a total of **60** months. **(\$2,256.00 paid to date)**

b. The Debtor shall make plan payments to the Trustee from the following sources:

☒

Future Earnings

☐

Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

☐ Sale of real property
Description:
Proposed date for completion: _____

☐ Refinance of real property
Description:
Proposed date for completion: _____

☒ Loan modification with respect to mortgage encumbering property
Description: **16 Trout Ave, Clementon NJ 08021**
Proposed date for completion: ***Completed**
***Motion to approve loan modification filed 7-21-2017.**

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection

a. Adequate protection payments will be made in the amount of \$ ____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to ____ (creditor).

b. Adequate protection payments will be made in the amount of _____ to be paid directly by the debtor(s) outside of the Plan, pre-confirmation to _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
McDowell Posternock Apell & Detrick, PC	Supplemental Attorney Fees	\$2,421.16
McDowell Posternock Apell & Detrick, PC	Attorney Fees	\$3,257.50
CCMUA	water/sewer	\$797.17

Part 4: Secured Claims

a. Curing Default and Maintaining Payments

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the Debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

b. Modification

1.) The Debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in

Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to Be Paid

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

c. Surrender

Upon confirmation, the stay is terminated as to surrendered collateral. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
Santander Consumer USA	2013 Toyota Corolla	11,081.00	\$2,583.00

d. Secured Claims Unaffected by the Plan

The following secured claims are unaffected by the Plan:

Creditor

Shellpoint Mortgage Servicing - Motion to Approve Loan Modification filed 7-21-2017.

e. Secured Claims to be paid in full through the Plan

Creditor	Collateral	Total Amount to be Paid through the Plan
-NONE-		

Part 5: Unsecured Claims

a. **Not separately classified** Allowed non-priority unsecured claims shall be paid:

_____ Not less than \$_____ to be distributed *pro rata*

_____ Not less than _____ percent

 x *Pro Rata* distribution from any remaining funds

b. **Separately Classified Unsecured Claims** shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid
-NONE-			

Part 6: Executory Contracts and Unexpired Leases

All executory contracts and unexpired leases are rejected, except the following, which are assumed:

Creditor	Nature of Contract or Lease	Treatment by Debtor
-NONE-		

Part 7: Motions

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, Notice of Chapter 13 Plan Transmittal, within the time and in the manner set forth in D.N.J. LBR 3015-1. A Certification of Service must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens under 11 U.S.C. Section 522(f).

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided
-NONE-							

b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured.

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount of Lien to be Reclassified
-NONE-		

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon Confirmation
☐ Upon Discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Trustee shall pay allowed claims in the following order:

- 1) Trustee Commissions

- 2) Other Administrative Claims
- 3) Secured Claims
- 4) Lease Arrearages
- 5) Priority Claims
- 6) General Unsecured Claims

d. Post-petition claims

The Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9 : Modification

If this plan modifies a plan previously filed in this case, complete the information below.

Date of Plan being modified: **8-7-2017**.

Explain below why the Plan is being modified.	Explain below how the Plan is being modified
To indicate that the loan modification process has been completed and to add supplemental fees and extend the plan.	To indicate that the loan modification process has been completed and to add supplemental fees and extend the plan.

Are Schedules I and J being filed simultaneously with this modified Plan? ☐ Yes ☒ No

Part 10: Sign Here

The debtor(s) and the attorney for the debtor (if any) must sign this Plan.

Date **August 7, 2017** /s/ Thomas G. Egner, Esq.
Thomas G. Egner, Esq.
Attorney for the Debtor

I certify under penalty of perjury that the foregoing is true and correct.

Date: **August 7, 2017** /s/ Luis R Galarza
Luis R Galarza
Debtor

Date: _____
Joint Debtor

Certificate of Notice Page 6 of 7
 United States Bankruptcy Court
 District of New Jersey

In re:
 Luis R. Galarza
 Debtor

Case No. 16-21420-ABA
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1

User: admin
 Form ID: pdf901

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 Total Noticed: 34

Date Rcvd: Aug 10, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 12, 2017.

db +Luis R. Galarza, 16 Trout Ave, Clementon, NJ 08021-4014
 aty +Buckley Madole, P.C., 99 Wood Avenue South, Ste 803, Iselin, NJ 08830-2713
 cr +Specialized Loan Servicing LLC as servicing agent, C/O Buckley Madole, P.C.,
 99 Wood Avenue South, Suite 803, Iselin, NJ 08830-2713
 lm +Specialized Loan Servicing, LLC, 8742 Lucent Boulevard, Suite 300,
 Highlands Ranch, CO 80129-2386
 516230108 +Aargon Collection Agency, 8668 Spring Mountain Rd, Las Vegas, NV 89117-4132
 516230109 +Borough of Clementon, Attn: Tax Collector, 101 Gibbsboro Rd, Clementon, NJ 08021-4035
 516230110 +CBCS, PO Box 163250, Columbus, OH 43216-3250
 516230111 +CITIBANK, PO BOX 790034, ST LOUIS MO 63179-0034
 (address filed with court: Citibank SD, NA, Centralized Bankruptcy, PO Box 20363,
 Kansas City, MO 64195-0363)
 516430217 +Camden County MUA, 1645 Ferry Ave., Camden, NJ 08104-1311
 516230112 +Commonwealth Financial, 245 Main St, Dickson City, PA 18519-1641
 516230113 +Covergent Outsourcing, Inc., 800 SW 39th St., PO Box 9004, Renton, WA 98057-9004
 516230115 +Equifax Information Services, PO Box 740241, Atlanta, GA 30374-0241
 516230116 +Experian, PO Box 4500, Allen, TX 75013-1311
 516230117 +Financial Services Limited Partnership, 7322 Southwest Freeway, Suite 1600,
 Houston, TX 77074-2134
 516230119 +Midland Credit Management, PO Box 939069, San Diego, CA 92193-9069
 516230120 Our Lady of Lourdes Medical Center, PO BOX 822099, Philadelphia, PA 19182-2099
 516230121 +PSE&G, 80 Park Plaza, Newark, NJ 07102-4194
 516230122 +Regional Sewer Service Invoice, PO Box 1105, Bellmawr, NJ 08099-5105
 516275287 +SANTANDER CONSUMER USA, INC., P.O. BOX 560284, DALLAS, TX 75356-0284
 516914214 +Santander Consumer USA Inc., Morton & Craig, LLC, 110 Marter Avenue, Suite 301,
 Moorestown, NJ 08057-3125
 516914215 +Santander Consumer USA Inc., P.O. Box 562088, Suite 900 North, Dallas, TX 75356-2088
 516230123 +Santander Consumer Usa, Po Box 961245, Ft Worth, TX 76161-0244
 516561351 +Shellpoint Mortgage Servicing, PO Box 10826, Greenville SC 29603-0826, (29603-0826
 516392771 +Specialized Loan Servicing LLC, C/O Buckley Madole, P.C., 99 Wood Avenue South, Suite 803,
 Iselin, NJ 08830-2713
 516230124 +Specialized Loan Servicing, LLC, PO Box 636005, Littleton, CO 80163-6005
 516230125 +State of New Jersey Division of Taxation, Bankruptcy Section, PO Box 245,
 Trenton, NJ 08695-0245
 516991954 THE BANK OF NEW YORK MELLON, KML Law Group PC, Sentry Office Plaza,
 216 Haddon Avenue, Suite 206, Westmont, NJ 08108
 516326987 +The Bank of New York Mellon, Trustee (See 410), C/O Specialized Loan Servicing, LLC,
 8742 Lucent Blvd, Suite 300, Highlands Ranch, Colorado 80129-2386
 516230126 TransUnion, PO Box 2000, Chester, PA 19022-2000
 516230127 +Verizon, 500 Technology Dr Suite 300, Weldon Spring, MO 63304-2225

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 smg E-mail/Text: usanj.njbankr@usdoj.gov Aug 10 2017 21:45:12 U.S. Attorney, 970 Broad St.,
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534

smg +E-mail/Text: ustpreion03.ne.ecf@usdoj.gov Aug 10 2017 21:45:11 United States Trustee,
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
 Newark, NJ 07102-5235

516230114 +E-mail/PDF: creditonebknofications@resurgent.com Aug 10 2017 21:41:09
 Credit One Bank, N.A., PO Box 98873, Las Vegas, NV 89193-8873

516230118 +E-mail/Text: cio.bncmail@irs.gov Aug 10 2017 21:45:07 Internal Revenue Service,
 Centralized Insolvency Operation, PO Box 7346, Philadelphia, PA 19101-7346

TOTAL: 4

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

516561352 Shellpoint Mortgage Servicing, PO Box 10826, Greenville SC 29603-0826, (800) 365-7107,
 Shellpoint Mortgage Servicing, PO Box 10826

aty* +Buckley Madole, P.C., 99 Wood Avenue South, Suite 803, Iselin, NJ 08830-2713

cr* +Santander Consumer USA Inc., P.O. Box 562088, Suite 900 North, Dallas, TX 75356-2088

lm* +Specialized Loan Servicing LLC, PO Box 636005, Littleton, CO 80163-6005

cr* +Specialized Loan Servicing LLC, as servicing agent, C/O Buckley Madole, P.C.,
 99 Wood Avenue South, Suite 803, Iselin, NJ 08830-2713

TOTALS: 1, * 4, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
 pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

District/off: 0312-1

User: admin
Form ID: pdf901

Page 2 of 2
Total Noticed: 34

Date Rcvd: Aug 10, 2017

***** BYPASSED RECIPIENTS (continued) *****

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 12, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 8, 2017 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK,
AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF CWABS INC., ASSET-BACKED CERTIFICATES, SERIES 2007-3
dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Francesca Ann Arcure on behalf of Creditor Specialized Loan Servicing LLC, as servicing agent
for The Bank of New York Mellon FKA The Bank of New York, as Trustee for the certificateholders
of the CWABS, Inc., Asset-Backed Certificates, Series nj_ecf_notices@buckleymadole.com
Francesca Ann Arcure on behalf of Creditor Specialized Loan Servicing LLC as servicing agent
for The Bank of New York Mellon FKA The Bank of New York, as Trustee for the Certificateholders
of the CWABS, Inc., Asset-Backed Certificates, Series nj_ecf_notices@buckleymadole.com
Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com
John R. Morton, Jr. on behalf of Creditor Santander Consumer USA Inc. ecfmail@mortoncraig.com,
mortoncraigecf@gmail.com;mhazlett@mortoncraig.com
Thomas G. Egner on behalf of Debtor Luis R. Galarza tegner@mpadlaw.com,
kgresh@mpadlaw.com;djamison@mpadlaw.com;lwood@mpadlaw.com;cgetz@mpadlaw.com;r62202@notify.bestcas
e.com

TOTAL: 6